

**BEFORE THE
DEPARTMENT OF TRANSPORTATION
WASHINGTON, D.C.**

Application of

DELTA AIR LINES, INC.

for an exemption pursuant to 49 U.S.C. § 40109 to
operate Atlanta, Georgia-Cape Town, South Africa
service via Johannesburg, South Africa

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) Docket DOT-OST-2020-
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**APPLICATION OF
DELTA AIR LINES, INC. FOR AN EXEMPTION**

Communications with respect to this document should be sent to:

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May 21, 2020

Notice: Delta is requesting expedited treatment of this application and will poll air carrier representatives on the attached service list and will advise the Department of the results.

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**APPLICATION OF
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Pursuant to 49 U.S.C. § 40109 and Subpart C of the Department's Rules of Practice, Delta Air Lines, Inc. ("Delta") applies for an exemption and, if necessary, an amendment to its current U.S.-South Africa frequency allocation to authorize Delta to engage in scheduled foreign air transportation of persons, property, and mail between Atlanta, Georgia and the coterminal points Johannesburg and Cape Town, South Africa.¹ The flights will operate on a triangle routing, Atlanta-Johannesburg-Cape Town-Atlanta, utilizing 306-seat Airbus A350-900 aircraft. Delta requests that its exemption authority be granted for a period of not less than two years. Delta plans to commence this new service pattern starting October 24, 2020, depending on the travel restrictions imposed by either country due to the ongoing COVID-19 pandemic.

Delta states as follows in support of this application:

1. Delta's proposed flights between Atlanta and Cape Town via Johannesburg will depart Delta's hub at Atlanta Hartsfield-Jackson International Airport at (all times local) 17:45 and arrive at Johannesburg at 15:45 before continuing on, without picking up local passengers, at 17:15 to Cape Town for arrival at 19:25. On the return, the flight will depart Cape Town at 21:25

¹ Delta already holds certificate authority to provide scheduled service between Atlanta and Johannesburg, South Africa. See Orders 1991-10-33 (Route 616) (transferring from Pan American World Airways, Inc. to Delta various authorities including South Africa service) and 2010-12-24 (Blanket Route Integration Authority).

and arrive in Atlanta at 06:45. Delta requests authority for year-round service with seasonal flexibility to tailor capacity to demand during off-peak periods.

2. Granting Delta an exemption to serve Cape Town as described above is clearly in the public interest. Delta's proposed service will allow Delta to maintain its longstanding Johannesburg service, while providing its customers with a new service option to Cape Town, South Africa, the seventh largest African destination for U.S. travelers. It will also allow passengers to connect at Delta's hub at Atlanta Hartsfield-Jackson International Airport – the world's busiest and largest airport. The new service will increase travel and trade opportunities, boost Atlanta and regional economies, create jobs, and provide benefits to travelers across the U.S. Delta's superior operational reliability and customer service will benefit passengers who would make use of these proposed services.

3. The proposed services are fully consistent with the Air Transport Agreement between the United States and South Africa ("Agreement"). Under the Agreement, Delta is a designated combination carrier. Designated U.S. carriers may operate from the U.S. to Cape Town under the Scheduled Air Service Annex of the Agreement. Delta will not serve the local Johannesburg-Cape Town market and is not seeking authority to do so. Rather, Delta will serve Johannesburg and Cape Town as coterminal points such that, under the proposed triangle routing, Delta will drop off U.S. origin traffic and pick up U.S. destination traffic at both Johannesburg and Cape Town.

4. Delta holds various certificates of public convenience and necessity and exemptions authorizing it to engage in scheduled air transportation of persons, property and mail between the U.S. and various foreign countries.² Delta is fit, willing, and able to provide the services for which it seeks authority. Pursuant to Rule 24 of the Department's Rules of Practice, Delta requests that the Department take official notice of all information and data that have been

² See, e.g., Orders 1991-10-33, and 2007-4-27 (Blanket Open Skies), and 2010-12-24.

filed establishing Delta's fitness.

5. To the extent necessary, Delta requests that its current allocation of seven U.S.-South Africa frequencies³ be amended to authorize the proposed triangle routing of Atlanta-Johannesburg-Cape Town-Atlanta, in addition to Delta's existing Atlanta-Johannesburg service. The Department's grant of this request will result in no net decrease in the number of available frequencies for U.S. carriers to serve South Africa.⁴

6. Delta expects no difficulty obtaining fuel for the proposed services from its regular suppliers. The environmental impacts of the service will be *de minimis*, as Delta would otherwise fully deploy these aircraft elsewhere in its network. Hence, there will not be a near term net change in aircraft fuel consumption of more than 10 million gallons.

WHEREFORE, Delta respectfully requests that the Department grant the exemption authority and, if necessary, the amendment to its existing U.S.-South Africa frequencies as described above to allow Delta to operate its new proposed Atlanta-Johannesburg-Cape Town-Atlanta routing, and to grant Delta such other or different relief as is consistent with this Application and the public interest.

Respectfully submitted,



Christopher Walker

For DELTA AIR LINES, INC.

³ See Notice of Action Taken dated February 27, 2006 in Docket DOT-OST-2006-23924 (allocating Delta 7 weekly frequencies to serve Atlanta-Johannesburg via Dakar, Senegal).

⁴ Delta understands that 11 weekly U.S.-South Africa frequencies remain available for allocation. See Notice of Action Taken dated April 19, 2019 in Docket DOT-OST-2019-0062 (allocating three weekly U.S.-South Africa frequencies to permit United to provide seasonal Newark-Cape Town service).

CERTIFICATE OF SERVICE

A copy of the foregoing Application has been served this 21st day of May 2020, upon the following persons via email:

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